

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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ZEV and LINDA WACHTEL, et al.,

Plaintiffs,

Civil Action No. 01-4183 (FSH)

v.

HEALTH NET, INC., et al.,

Defendants.

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RENEE McCOY, individually and on behalf  
of all others similarly situated,

Plaintiffs,

Civil Action No. 03-1801 (FSH)

v.

HEALTH NET, INC., et al.,

Defendants.

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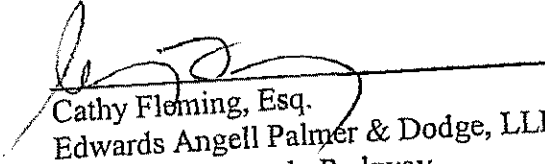
AFFIDAVIT OF CATHY FLEMING

STATE OF NEW YORK     ):  
                                      : ss:  
COUNTY OF NEW YORK   ):

CATHY FLEMING, being duly sworn, deposes and says:

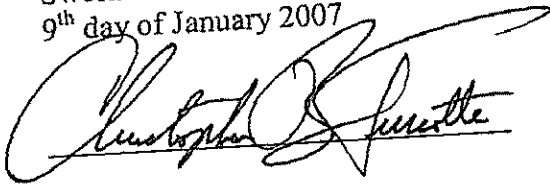
1. I am a partner at Edwards Angell Palmer & Dodge, LLP.
2. I respectfully submit this affidavit pursuant to Fed.R.Civ.P. 53 and the Court's January 3, 2007 order.
3. I have reviewed 28 U.S.C. 455, and I am not aware of any ground under that statutory provision that would disqualify me from being a Special Master in this matter.
4. Moreover, at the time I was approached about being a Special Master in this matter, I checked through our firm's conflict system to determine whether there was any type of

conflict that would require disclosure to the Court and the parties, or that would otherwise preclude me from serving as a Special Master. I found no conflict reflected in our system and I am unaware of any conflict.



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Sworn to before me on the  
9<sup>th</sup> day of January 2007



CHRISTOPHER B. TURCOTTE  
Notary Public, State of New York  
No. 02TU5072563  
Qualified in New York County  
Commission Expires February 3, 2007

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---

AFFIDAVIT OF SERVICE

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STATE OF NEW YORK     ):  
                                      : ss:  
COUNTY OF NEW YORK   ):

Ann Poznanski, being duly sworn, deposes and says:

1.     I am not a party to this action. I am over the age of 18 years of age and I am employed by Edwards, Angell, Palmer & Dodge, LLP. On January 9, 2007, I served a copy of the Affidavit of Cathy Fleming by regular U.S. Mail upon:

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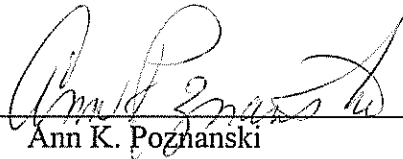
**Counsel for Health Net, Inc., Health Net of the Northeast, Inc.**

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Ann K. Pozhanski

Sworn to before me this  
9<sup>th</sup> day of January 2007



STUART RADISH  
Notary Public, State of New York  
No. 01RA6115435  
Qualified in New York County  
Commission Expires September 7, 2008